



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

BJG

Docket No: 2930-99

1 October 1999

CAPT [REDACTED] USMC

Dear Capt [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by Headquarters Marine Corps dated 15 July and 2 August 1999, copies of which are attached. They also considered your rebuttal letter dated 7 September 1999 with enclosures.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion dated 2 August 1999.

The Board found that while your current duties do not relate to aviation, this does not establish that the report of your Field Flight Performance Board (FFPB) should not be in your record to document your performance in aviation. They found no indication that the report of your FFPB was erroneous. They noted the documentation of your FFPB that appears in your record does reflect the result, specifically, "Revocation of orders to duty in a flight status." Since they found no defect in the report of your FFPB reflected in your record, they had no basis to remove your failure by the Fiscal Year 2000 Major Selection Board.

In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosures



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

2930-99

IN REPLY REFER TO:

1600
MMAA-4
15 Jul 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR PETITION FOR CAPTAIN [REDACTED]
[REDACTED] USMC

Ref: (a) MMR Request for [REDACTED] Opinion in the case of
Capt [REDACTED] USMC
of 8 Apr 99

1. Recommend disapproval of Captain [REDACTED]'s request for removal of his failure of selection.
2. Per the reference, we reviewed Captain [REDACTED]'s record and petition. He failed selection on the FY00 USMC Major Selection Board. Subsequently, he petitioned for removal of the Field Flight Performance Board (FFPB) of 941130 from the record and removal of his failure of selection.
3. In our opinion, the FFPB presented considerable competitive concern to Captain [REDACTED]'s record due to numerous comments concerning his below average performance. However, his record contains other areas of serious competitive concern that more than likely contributed to his failure of selection:
 - a. **Value & Distribution.** During Captain [REDACTED]'s thirty one months in his MOS, he has two officers ranked above him and zero below, placing him at the bottom of the pack. Overall, he has three officers ranked above him and zero below.
 - b. **Change of Reporting Senior Fitness Report of 951215 to 960602 as the 1st Combat Engineer Battalion Adjutant.** Captain [REDACTED] gives less competitive section B marks in Additional Duties, Handling Enlisted, Training Personnel, and Economy of Management. The report contains growing comments such as "Adjusting to new environment" and "Possesses potential for higher level of efficiency and contributions to battalion." At the time of the report, he had twenty one months in grade as a captain and had served in 0180 billets for sixteen months.
 - c. **Professional Military Education (PME).** Captain [REDACTED] did not complete the requisite PME for his grade per [REDACTED]

Subj: BCNR PETITION FOR CAPTAIN [REDACTED]
[REDACTED] USMC

FFPB (S)

4. In summary, the petitioned report does present considerable competitive concern to the record. However, Captain [REDACTED] record contains other areas of serious competitive concern that more than likely contributed to his failure of selection. Therefore, we recommend disapproval of Captain [REDACTED] request for removal of his failure of selection.

5. Point of contact is [REDACTED]

[REDACTED]

Lieutenant Colonel, U.S. Marine Corps
Head, Officer Counseling and Evaluation Section
Officer Assignment Branch
Personnel Management Division

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1000
ASM-52
2 Aug 99

AVIATION DEPARTMENT COMMENT on MMER tasker Dtd 6 Jul 99

Subj: BCNR APPLICATION IN CASE OF CAPTAIN [REDACTED]
[REDACTED] USMC

Ref: MCO 1000.6 (ACTS Manual)para 1214.6

1. The Aviation Department has reviewed Captain [REDACTED] case and finds no reason to withdraw Field Flight Performance Board (FFPB) information contained in his OMPF. There are two issues from Captain [REDACTED] request that warrant further explanation to support this decision.

- a. Any winged aviator is held to FFPB accountability any time performance or motivation standards are in question. All replacement Aircrew (RAC) are winged aviators, and therefore subject to FFPB review. Captain [REDACTED] was a RAC in VMFAT 101 at the time of his FFPB.
- b. The FFPB on Captain [REDACTED] completed by his endorsement chain and concluded with a recommendation of "Revocation of orders to duty in a flight status." An FFPB review was completed by HQMC on 24 May 1995 whereby the recommendation of the FFPB was upheld and made official by the DC/S for Aviation. From that point on, the ACTS Manual specifically states a copy of the FFPB, with endorsements and enclosures thereto, will be placed in the individual's OMPF.

2. Aviation Department POC is Major [REDACTED]
1556.

[REDACTED]